

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature: <i>Nicole J. Conroy</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): <i>9507</i> <input type="checkbox"/> Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
1. Article Addressed to: <i>Krabbe Const Scott Mousel 322 S Green St Chicago IL 60607</i>		2. Article Number: <i>2007 0710 0004 9540 6051</i>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-025M-1540	

001241

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed To:

Gemini Office Dev
 Thomas Lehman
 4301 S Cass Av #301
 Westmont IL 60559

COMPLETE THIS SECTION ON DELIVERY**A. Signature** Agent Addressee**B. Received by (Printed Name)** C. Date of Delivery

Michael Walsh 9-5
D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2 7007 0710 0004 9540 6068

PS Form 3811, February 2004

Domestic Return Receipt

102595-0210-1540

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com.

OFFICIAL USE

WESTMONT IL 60559

Postage	\$	\$0.41
Certified Fee		
\$2.65		
\$2.15		
\$0.00		
Total Postage & Fees		\$5.21

08/31/2007

AUG 31 2007
Postmark Here
USPS

Sent To
Gemini Dev
Westmont 60559

PS Form 3800, August 2006
 See Reverse for Instructions

001242

Case 1:08-cv-01148 Document 12-45 Filed 03/12/2008 Page 3 of 14
Gemini Office Development Kram Construction
Thomas Lehman Scott Mousel
6301 South Cass Avenue-Ste.301 322 South Green Street
Westmont, Illinois 60559 Chicago, Illinois 60607
via fax: (312) 707-8552

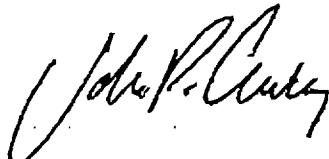
Re: 3051 East New York Street-Permit # 06-3529

Gentlemen:

Please be advised that the City of Aurora have begun an full review of the process surrounding the development of your property at the above address, in order that we may ensure that all codes and regulations have been met prior to your occupancy thereof. Therefore, we are modifying the conditional Temporary Occupancy Permit issued August 16, 2007 to include an additional condition that you may not open for business until such time as the City has given you further written approval to do so. This letter should be considered official notice there of.

We understand that your projected opening date is September 18, 2007, and it is our intention to conclude our review in order to provide you with further direction prior thereto.

Sincerely,



John P. Curley AIA
Assistant Director Community Development
City of Aurora

TX/RX NO	1150	CONNECTION TEL	913127078552	TRANSMISSION OK
SUBADDRESS		CONNECTON ID		
ST. TIME	08/31 16:04	USAGE T	00.16	
CONNNECTION ID		PGS. SENT	1	
RESULT	OK			

*** TX REPORT ***

001243



City of Aurora

Department of Community Development - Development Services
65 Water Street • Aurora, Illinois 60505-3305

• (630) 906-4081
FAX (630) 892-8112

August 31, 2007

Gemini Office Development
Thomas Lehman
6301 South Cass Avenue-Ste.301
Westmont, Illinois 60559

Krahl Construction
Scott Mousel
322 South Green Street
Chicago, Illinois 60607

via fax. (312) 707-8552

Re: 3051 East New York Street-Permit # 06-3529

Gentlemen:

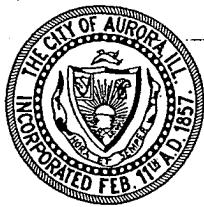
Please be advised that the City of Aurora have begun a full review of the process surrounding the development of your property at the above address, in order that we may ensure that all codes and regulations have been met prior to your occupancy thereof. Therefore, we are modifying the conditional Temporary Occupancy Permit issued August 16, 2007 to include an additional condition that you may not open for business until such time as the City has given you further written approval to do so. This letter should be considered official notice there of.

We understand that your projected opening date is September 18, 2007, and it is our intention to conclude our review in order to provide you with further direction prior thereto.

Sincerely,

John P. Curley AIA
Assistant Director Community Development
City of Aurora

001244



City of Aurora

Department of Community Development - Development Services
1 S Broadway • Aurora, Illinois 60505-3305

• (630) 844-3627
FAX (630) 906-7430

Tuesday, September 11, 2007

Gemini Office Development
Thomas Lehman
6301 South Cass Ave – Ste. 301
Westmont, IL 60559
fax (630) 963-4475
twlehman@ameritech.net

Scott Mousel
Krahl Construction
322 South Green Street
Chicago, IL 60607
fax (312) 707-8552
smousel@krahlconstruction.com

Regarding: 3051 East New York Street - Permit # 06-3529

Gentlemen:

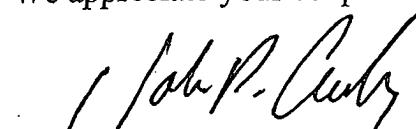
This correspondence is a follow-up to our letter to you of August 31, 2007 in which we advised you that, pending a review of the development process, you could not open for business under the temporary certificate of occupancy.

At that time we indicated that it was our intention to have the review concluded by September 18, 2007. We wish to advise you that it is not likely that the review process will be completed prior to your projected opening date. The City of Aurora has no intention of allowing you to open for business prior to the completion of the independent review.

Therefore, we wish to reiterate that until or unless you receive specific approval from the City of Aurora, you are not permitted to open for business.

If you have any questions on this matter, you may contact me directly (630) 844-3627.

We appreciate your cooperation in this matter,


John P. Curley AIA
Assistant Dir Community Development

001245

KRAHL CONSTRUCTION

CONSTRUCTION MANAGEMENT
GENERAL CONTRACTING
SINCE 1913



322 South Green Street
3rd Floor
Chicago, IL 60607
312/648-9800 Telephone
krahl@krahliconstruction.com
Sander's e-mail:
SMousel@krahliconstruction.com

September 12, 2007

Mr. Herman Beneke
City of Aurora
Division of Building and Permits
43 West Galena Blvd.
Aurora, IL 60506

Re: Gemini Medical Office Building
3051 East New York Street – Permit #06-3529

Dear Mr. Beneke,

Please be advised that Krahl Construction, General Contractor for the above referenced project, has completed the items as noted incomplete on the Temporary Certificate of Occupancy (TCO) and hereby requests final inspection.

As such, we were informed via telephone that this project is being reviewed by you and that our final Certificate of Occupancy request needs to be directed to you.

We hereby request final inspection for Friday, September 14, 2007.

We assume that the City will extend the TCO until such time as you can arrange for this final inspection.

Please contact me at your earliest convenience to confirm a time for the inspection on Friday. I can be reached via cell phone at 312-735-6397.

Respectfully,
Krahl Construction

Scott Mousel
Project Manager

Cc: Thomas Lehman – Gemini Office Development
Dainius Petronis – Gemini Office Development
Kathleen Howard – Perkins Coie LLP
Dave Dastur – Jensen and Halstead

001246



September 12, 2007

BY TELECOPY
@ (630) 906-7430

John P. Curley AIA
City of Aurora
Department of Community Development
Development Services
1 S. Broadway
Aurora, Illinois 60505-3305

Re: 3051 East New York Street – Permit # 06-3529

Dear Mr. Curley:

I have received a copy of your September 11, 2007 letter to Thomas Lehman and Scott Mousel. I wanted to respond immediately to let you know how concerned we are that there is any possibility that the City of Aurora will not permit our new Planned Parenthood clinic to open on September 18.

On August 16, 2007, the City of Aurora issued us a Temporary Occupancy Permit which allowed us to open our facility and begin seeing patients immediately. Based on that Temporary Occupancy Permit, we announced publicly that we intended to open our doors on September 18. We also began scheduling patients for that day. If we do not open on September 18, those patients will not be able to receive services from Planned Parenthood.

In your August 31, 2007, letter, you assured us that you would conclude any additional review by September 18. We also understood at that time, that the City of Aurora had retained Richard Martens, a well-respected municipal law attorney who was preparing a legal opinion at the City's request.

LEGAL13552877.1

18 S. Michigan Ave., 6th Floor
Chicago, Illinois 60603
tel: 312.592.6800 fax: 312.592.6801
www.plannedparenthoodchicago.com
www.plannedparenthoodaction.com

01247

John P. Curley AIA
September 12, 2007
Page 2

Since then, we understand the City of Aurora has terminated its relationship with Mr. Martens, and retained new counsel for purposes of an additional "review" of our building and occupancy permits. Further, your September 11, letter now states "The City of Aurora has no intention of allowing you to open for business prior to the completion of the independent review."

At no time have you provided us any basis for this additional "review." Further, no one has contacted us to provide any information as part of this process. We are not aware of any other organization that has been subjected to this ad hoc process at any time, let alone after the City has issued a Temporary Occupancy Permit.

In short, it appears that City is creating additional legal processes and conducting endless "reviews" simply because it objects to the fact that Planned Parenthood provides abortion services in addition to a full range of other health care services for its patients. This is not only unacceptable, but illegal.

By this letter, we demand that the City withdraw its improper "modification" of the Temporary Occupancy Permit and allow Planned Parenthood to open for business as scheduled on September 18. If I do not hear from you by 12:00 noon tomorrow, Planned Parenthood will be forced to go to court to seek redress from the City's improper conduct and to ensure that we are able to provide services to our patients as promised.

Sincerely,


Steve Trombley

cc: Thomas Lehman
Gemini Office Development

Scott Mousel
Krahl Construction



City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

**DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND PERMITS**

**CERTIFICATE OF OCCUPANCY AND COMPLIANCE
TEMPORARY**

Issue Date 8/16/07
Expiration Date 9/17/07

Parcel Number 07-20-302-081
Property Address 3051 E NEW YORK ST
Subdivision Name AURORA IL 60504
Legal Description OLD ADDRESS WAS
240 N OAKHURST DR
VACANT LOT ON THE WEST SIDE OF
N OAKHURST DR SOUTH OF
PLANNED DEVELOP DIST

Property Zoning
Owner GEMINI OFFICE DEVELOPMENT
Contractor KRAHL CONSTRUCTION
31 264-8980

Application number 06-00003529 000 000
Description of Work COM - BUSINESS OFFICES
Construction type NONCOMBUSTIBLE 1 HOUR
Occupancy type BUSINESS OFFICE
Flood Zone PLS. VERIFY W/ FEMA MAP
Special conditions
GEMINI OFFICE DEVELOPMENT, 3051 E. NEW YORK ST.
TEMP. C.O. IS CONTINGENT UPON THE FOLLOWING ITEMS:
ENGINEERING; OK FOR TCO UNTIL COMPLETION OF ALL ENGINEERING
FINAL APPROVAL REQUIREMENTS.
ZONING; OK FOR TCO UNTIL SITE IMPROVEMENTS INSPECTED AND
APPROVED.
BUILDING; COMPLETE THE FOLLOWING: 1) INSTALL PERMANENT EXIT
DIRECTIONAL SIGNAGE AND ADD EXIT SIGN AT CONFERENCE ROOM
110 WEST EXIT DOOR, 2) INSTALL GLASS AT SERVICE COUNTERS
OR PROVIDE ARCHITECT REVISION TO DELETE GLASS PARTITIONS

Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL.



City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

**DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND PERMITS**

CERTIFICATE OF OCCUPANCY AND COMPLIANCE

TEMPORARY

Issue Date 10/01/07
Expiration Date 10/08/07

Parcel Number 07-20-302-081
Property Address 3051 E NEW YORK ST
Subdivision Name AURORA IL 60504
Legal Description OLD ADDRESS WAS
240 N OAKHURST DR
VACANT LOT ON THE WEST SIDE OF
N OAKHURST DR SOUTH OF
Property Zoning PLANNED DEVELOP DIST

Owner GEMINI OFFICE DEVELOPMENT

Contractor KRAHL CONSTRUCTION
312 735-6397

Application number 06-00003529 000 000
Description of Work COM - BUSINESS OFFICES
Construction type NONCOMBUSTIBLE 1 HOUR
Occupancy type BUSINESS OFFICE
Flood Zone PLS. VERIFY W/ FEMA MAP
Special conditions

TEMP. C.O. IS CONTINGENT UPON THE FOLLOWING ITEMS:
ENGINEERING; OK FOR TCO UNTIL COMPLETION OF ALL ENGINEERING
FINAL APPROVAL REQUIREMENTS.

Plan Examiner; complete the following:
Complete the installation of emergency lighting per NEC.
Areas required to have this lighting shall not be used
until the emergency lighting is installed, inspected and
approved by the City of Aurora.

Approved

Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL



City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF BUILDING AND PERMITS

CERTIFICATE OF OCCUPANCY AND COMPLIANCE TEMPORARY

Issue Date 10/01/07
Expiration Date 11/02/07

Parcel Number 07-20-302-081
Property Address 3051 E NEW YORK ST
Subdivision Name AURORA IL 60504

Legal Description OLD ADDRESS WAS
240 N OAKHURST DR
VACANT LOT ON THE WEST SIDE OF
N OAKHURST DR SOUTH OF
Property Zoning PLANNED DEVELOP DIST

Owner GEMINI OFFICE DEVELOPMENT

Contractor KRAHL CONSTRUCTION
312 735-6397

Application number 06-00003529 000 000
Description of Work COM - BUSINESS OFFICES
Construction type NONCOMBUSTIBLE 1 HOUR
Occupancy type BUSINESS OFFICE
Flood Zone PLS. VERIFY W/ FEMA MAP
Special conditions

TEMP. C.O. IS CONTINGENT UPON THE FOLLOWING ITEMS:
ENGINEERING; OK FOR TCO UNTIL COMPLETION OF ALL ENGINEERING
FINAL APPROVAL REQUIREMENTS.

Approved


Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL

101251



City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF BUILDING AND PERMITS

CERTIFICATE OF OCCUPANCY AND COMPLIANCE

TEMPORARY

Issue Date 10/01/07
 Expiration Date 12/17/07
 Parcel Number 07-20-302-081
 Property Address 3051 E NEW YORK ST
 Subdivision Name AURORA
 Legal Description OLD ADDRESS WAS
 240 N OAKHURST DR
 VACANT LOT ON THE WEST SIDE OF
 N OAKHURST DR SOUTH OF
 Property Zoning PLANNED DEVELOP DIST
 Owner GEMINI OFFICE DEVELOPMENT
 Contractor KRAHL CONSTRUCTION
 312 735-6397
 Application number 06-00003529 000 000
 Description of Work COM - BUSINESS OFFICES
 Construction type NONCOMBUSTIBLE 1 HOUR
 Occupancy type BUSINESS OFFICE
 Flood Zone PLS. VERIFY W/ FEMA MAP
 Special conditions . . .

TEMP. C.O. IS CONTINGENT UPON THE FOLLOWING ITEMS:
 ENGINEERING; OK FOR TCO UNTIL COMPLETION OF ALL ENGINEERING
 FINAL APPROVAL REQUIREMENTS.

Approved

Herman Dein
Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL



City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

**DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF BUILDING AND PERMITS**

**CERTIFICATE OF OCCUPANCY AND COMPLIANCE
TEMPORARY**

Issue Date 10/01/07
Expiration Date : . . . : 7/01/08

Subdivision Name . . . Herkimer I.D. 60504
Legal Description . . . OLD ADDRESS WAS

Legal Description . . . OLD ADDRESS WAS
240 N OAKHURST DR
VACANT LOT ON THE WEST SIDE OF
N OAKHURST DR SOUTH OF
BLAINE RD

Property Zoning PLANNED DEVELOP DIST

Owner GEMINI OFFICE DEVELOPMENT

Contractor KRAHL CONSTRUCTION
312 735-6397

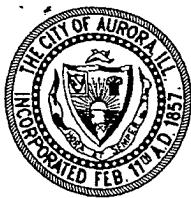
Application number 06-00003529 000 000
Description of Work COM - BUSINESS OFFICES
Construction type NONCOMBUSTIBLE 1 HOUR
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TEMP. C.O. IS CONTINGENT UPON THE FOLLOWING ITEMS:
ENGINEERING; OK FOR TCO UNTIL COMPLETION OF ALL ENGINEERING
FINAL APPROVAL REQUIREMENTS.

Approved _____

Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL



City of Aurora

Department of Community Development - Development Services
65 Water Street • Aurora, Illinois 60505-3305

• (630) 906-4081
FAX (630) 892-8112

September 20, 2007

Thomas Lehman
Gemini Office Development
6301 South Cass Avenue-Ste.301
Westmont, Illinois 60559
Fax (630) 963-4475

Steve Trombley
Planned Parenthood
18 S. Michigan Ave 6th floor
Chicago IL 60603
Fax (312) 592-6801

Re: 3051 East New York Street-Permit # 06-3529

Gentlemen:

Please accept this letter as Aurora's clarification of the permissible business activities that may continue to take place at your facility under our standard practices. As was stated previously, you may not open for business until notified by the city, pending a review of your development process.

Keith Lawler of Krahl Construction called the building department on August 8, 2007 and explained that Gemini was interested in obtaining permission to set up office furniture & equipment with limited staff training activities. Aurora's formal way to determine if a building has achieved the required life safety approvals to permit such activities is to conduct a pre-stock approval. The inspections required to grant this approval at your facility were completed on August 10th and the approval call was made to Keith that afternoon.

Please keep your business activity in the building limited to setting up furniture /equipment and training of staff. Any intensification of occupancy beyond this would require a certificate of occupancy.

Also be advised that any further money spent in preparing the building for use, pending the outcome of the development process review, is not indicative of the outcome and is done at the Gemini's risk.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Curley".

John P. Curley AIA
Assistant Director Community Development - City of Aurora

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